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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
APPEAL TO THE BOARD OF APPEALS AND INTERFERENCES

APPEAL APPLICATION

OF: VON DEYN ET AL.

SERIAL NO. 09/748,006

FILED: DECEMBER 27, 2000

FOR: 3-HETEROCYCLYL-SUBSTITUTED BENZOYL DERIVATIVES

TO: HON. COMMISSIONER OF PATENTS AND TRADEMARKS

Box:

AF

CONFIRMATION No.: 4682

GROUP ART UNIT: 1626

EXAMINER: ROBERT GERSTL

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner of Patents and Trademarks, Alexandria, Va 22313-1450, on:

April 27, 2004

Date of Deposit

Person Making Deposit Mary Chadwick

Signature

Mary Chadwick  
April 27, 2004

Date of Signature

Sir:

1. ☒ NOTICE OF APPEAL: Applicant hereby appeals to the Board of Appeals from the decision dated October 27, 2003, of the Primary Examiner finally rejecting Claims 1-4, 6, 10, 14, 15 and 21 to 23.
2. ☒ Applicants hereby petition for a -/- month extension of time under 37 C.F.R. §1.136. Applicants request entry of their timely reply dated April 27, 2004, for purposes of appeal.
  - ☐ A check to cover the fee of -/- is enclosed.
  - ☒ A petition for a -3- month extension of time including the requisite fee of \$950.00 has been filed along with the amendment under 37 C.F.R. §1.116 dated April 27, 2004.
3. ☐ BRIEF ON APPEAL in this application is transmitted herewith.
4. ☐ An oral Hearing is requested
  - ☐ The Oral Hearing fee of -/- is enclosed.
5. ☒ Fee \$330.00 + \$950.00 = \$1280.00
  - ☒ Enclosed.
  - ☐ Not required (Fee paid in prior appeal).
  - ☐ Charge to Deposit Account No. 11.0345.
6. ☒ The Commissioner is hereby authorized to charge any fee which may be further required, or credit any over payment to Deposit Account No. 11.0345. A duplicate copy of this sheet is attached.

Respectfully submitted,

KEIL & WEINKAUF

Daniel S. Kim

Reg. No. 51,877

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330.00 OP

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